

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Public Services – Dr. N. Balaramaiah, formerly District Medical & Health Officer, Ananthapur and presently working as Additional Director (SPL) O/o Commissioner of Health and Family Welfare, Andhra Pradesh, Hyderabad– Departmental proceedings under Rule-20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Articles of charges – Issued.

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HEALTH, MEDICAL & FAMILY WELFARE (VC-1) DEPARTMENT

G.O.Rt.No. 189

Dated:03 -02-2012.

O R D E R:

It is proposed to hold an enquiry against Dr. N. Balaramaiah, formerly District, Medical & Health Officer, Ananthapur and presently working as Additional Director (SPL) Office of the Commissioner of Health & Family Welfare, Hyderabad in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, control and Appeal) Rules, 1991.

2. The substance of the imputation of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom the articles of charges are proposed to be sustained are enclosed (Annexure-III and IV).

3. Dr. N. Balaramaiah, formerly District Medical & Health Officer, Ananthapur and presently working as Additional Director (SPL) Office of the Commissioner of Health & Family Welfare, Hyderabad is directed to submit his written statement of defence within 15 days from the receipt of this order.

4. Dr. N. Balaramaiah, formerly District, Medical & Health Officer, Ananthapur and presently working as Additional Director (SPL) Office of the Commissioner of Health & Family Welfare, Hyderabad is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Dr. N. Balaramaiah, formerly District, Medical & Health Officer, Ananthapur and presently working as Additional Director (SPL) Office of the Commissioner of Health & Family Welfare, Hyderabad is further informed that if he does not submit his written statement of defence on or before the date specified in para-3 above further action will be processed based on the material available.

6. Attention of Dr. N. Balaramaiah is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that Dr. N. Balaramaiah is aware of such representation and that, it has been made at his instance and action will be taken against him for violation of Rule 20 of A.P.Civil Services (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K.R.KISHORE

PRINCIPAL SECRETARY TO GOVERNMENT

To

Dr. N. Balaramaiah, former DM&HO, Ananthapur and  
presently working as Additional Director (SPL)  
O/o Commissioner of Health & Family Welfare,  
through Director of Public Health & Family Welfare,  
Andhra Pradesh, Hyderabad. (2 copies for service and return)

(PTO)

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The Director of Public Health & Family Welfare, Hyderabad.

Copy to:

The General Administration (V& E) Department

The Secretary to Vigilance Commissioner,

A.P.Vigilance Commission, Hyderabad.

SF/SC.

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ANNEXURE-1.

ARTICLE OF CHARGE FRAMED AGAINST Dr. N. BALARAMAIAH, Formerly DM&HO,  
ANANTHAPUR

Article -1: That, Dr. N. Balaramaiah, while working as DM&HO, Ananthapur has purchased the drugs during the year 2008-2009 and 2009-2010 duly violating the Article 125 of APFC as amended vide G.O.Ms.No.489, Finance (TFR-I) Dept, Dt.8-12-2008, at higher rates by taking quotations from three firms and issued purchase orders to two firms instead of calling tenders through public advertisement by showing favoritism by hand picking few selected firms every year and issued purchase orders in their favour. He has given certificates in all the payment order proceedings that (i) the articles purchased as per the article of 125 of APFC. (2) The limits prescribed time to time where within limits of Drawing Officer. He knowingly issued purchase orders. This was resulted in loss of Govt. Funds to the tune of Rs.30.75 lakhs during the years 2008-09 and 2009-1010 alone.

Thus, why an amount of Rs.30.75 lakhs shall not be recovered from him.

Article-2: That he had exhibited negligence in discharging his duties and conduct unbecoming a member of service and thereby contravened Rule 3 of APCS (Conduct) Rules, 1964.

K.R.KISHORE  
PRINCIPAL SECRETARY TO GOVERNMENT

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ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST Dr. N. BALARAMAIAH, formerly DM&HO, ANANTHAPUR.

Dr. N. Balaramaiah, was joined into Government service as CAS on 11/1982 and he worked as DM&HO, Ananthapur from 24-8-2007 to 12-10-2010 and presently working as Addl. Director (SPL) O/o CH & FW, A.P. Hyd. While working as DM&HO, Ananthapur he purchased the medicines to a tune of Rs.42.96 lakhs during the year 2008-2009 & 2009-2010 through quotations by placing four purchase orders with each purchase order exceeding Rs.5.00 lakhs, which against the Article 125 of A.P.Financial Code, as per the code" Open tender system should be adopted for all orders in excess of Rs.5,000/-" and the enhancing the limited tender system from Rs.5,000/- to Rs.5.00 lakhs in G.O.Ms.No.489, Finance (TFR-I) Dept, Dt.8-12-2008,

He has purchased the medicines under 10% emergency drugs component during the year 2008-09 and 2009-2010 from the two firms namely Sree Durga Agencies, Hyderabad (Rs.30.48 lakhs) and Sri Health Care, Hyderabad (Rs.11.22 lakhs) for the worth of Rs.41.81 lakhs at higher rates.

Further, he has given certificates in all the payment orders proceedings certified that the articles are purchased as per the article 125 of AP Financial Code and within the limits of the Drawing Officer in Proc. D.Dis.No.Stores/G1/09, Dt. -3-09. It reveals that the DM&HO knowingly has issued purchase orders to a tune of Rs.42.96 lakhs causing a loss to the Government to a tune of Rs.30.75 lakhs during the year 2008-09 & 2009-2010 without following the rules and Government orders in force.

Instead of calling for tenders through public advertisement, shown favoritism, by hand picking few selected firms every year and issued purchase orders in their favour. This has resulted in loss of Govt. funds to the tune of Rs.30.75 lakhs during the year 2008-2009 and 2009-10 alone.

The Government in G.O.Ms.No.489 Finance (TFR.1) Dept, Dt.8-12-2008 has issued clear instructions for an open tender system when the estimated value of the order is to be placed is Rs.5,00,000/- or over.

It is clearly evident that Dr. N. Balaramaiah, DM&HO, Ananthapur has ignored purchase rules and knowingly violated the Article 125 of APFC as amended vide G.O.Rt.No.489 Dt.8-12-2008 and issued purchase orders to two firms being a Govt servant, violating Conduct Rules. For the above mentioned acts, he is held responsible.

K.R.KISHORE  
PRINCIPAL SECRETARY TO GOVERNMENT

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ANEXURE –III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE IS PROPOSED TO BE SUSTAINED.

1. G.O.Ms.No.489, Finance (TFR.I) Dept, Dt.8-12-2008
2. DM&HO, Ananthapur Lr.Rc.No.Stores/G1/09, Dt.7-7-2009, Dt20-8-2009 addressed to the Executive Engineer, APMHIDC, Drugs Wing, Ananthapur
3. Lr.No. Drugs/Non-Availability/Drug stores/ATP/09-10, Dt.9-7-2009 of EE I/c, APMHIDC Division, Ananthapur
4. Lr.No. CDS/ATP/Non-Availability//9-10, Dt.27-8-2009 of EE APMHIDC Division, Ananthapur
5. DM&HO, Ananthapur Rc.No.Stores/G1/09, Dt. -7-2009 addressed to four agencies.
6. DM&HO, Ananthapur Rc.No.Stores/G1/09, Dt. 28 9-2009 addressed to three Agencies
7. DM&HO, Ananthapur Rc.No.Stores/G1/08, DT.18-3-2008 addressed to three agencies.
8. DM&HO Ananthapur Rc.No.Stores/G1/08, dt.23-3-2008 to Sri Durga Agencies,
9. DM&HO, Ananthapur Rc.No.Stores/G1/2009, DT.5-8-2009 to M/s Shri Health Care,
10. DM&HO Ananthapur Rc.No.Stores/G1/09, dt. -3-2009 to Sri Durga Agencies
11. DM&HO, Ananthapur Rc.No.Stores/G1/Epid/09, Dt. -09-09 to Sri Durga Agencies
12. Tax invoice of Hari Medical Agencies, Hyd to Sri Durga Agencies, Hyd
13. Tax invoices of Srinivasa Medical Distributors, Hyd to Durga Agencies,
14. DM&HO, Ananthapur Prcg.D.Dis,.No.Stores/G1/09, DT. -3-09.
- 15 . Any other documents if any, during course of Inquiry.

K.R.KISHORE  
PRINCIPAL SECRETARY TO GOVERNMENT

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ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGE IS PROPOSED TO BE SUSTAINED.

-NIL-

K.R.KISHORE  
PRINCIPAL SECRETARY TO GOVERNMENT

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